

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3

4 PHU G. HUYNH,

No. C 11-3195 CW

5 Plaintiff,

ORDER TAKING
MOTION TO DISMISS
UNDER SUBMISSION
ON THE PAPERS AND
SETTING BRIEFING
SCHEDULE
(Docket No. 27)

6 v.

7 UNITED STATES POSTAL SERVICE and
8 PATRICK R. DONAHOE, Postmaster
General,

9 Defendants.

10 _____ /
11
12 On October 18, 2011, the Court issued an order referring pro
13 se Plaintiff Phu G. Huynh to the Federal Legal Help Center (FLHC)
14 and directed the FLHC to make efforts to find counsel for the
15 limited purpose of assisting Plaintiff with court-connected
16 mediation. The Court further ordered that, if FLHC was able to
17 locate counsel within thirty days, the ADR unit would set the case
18 for court-connected mediation within ninety days, and that if FLHC
19 was unable to locate counsel within thirty days, the case would be
20 referred to a Magistrate Judge for a settlement conference within
21 ninety days thereafter.

22 On October 18, 2011, Defendant Patrick Donahoe filed a motion
23 to dismiss and noticed a hearing on the matter for December 1,
24 2011. The Court hereby vacates the current briefing and hearing
25 schedule for the motion to dismiss, and establishes the following
26 schedule:

27 Plaintiff shall file his opposition to the motion to dismiss
28 within twenty-eight days after the motion was filed, that is, by

1 Tuesday, November 15. If Plaintiff fails to file an opposition to
2 the motion to dismiss by that date, this case will be dismissed
3 for failure to prosecute.

4 Defendant shall his reply, if any, to Plaintiff's opposition
5 by Tuesday, November 22, 2011.

6 The Court will decide the motion to dismiss on the papers,
7 after the court-connected mediation or settlement conference
8 discussed above takes place.

9 IT IS SO ORDERED.

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11 Dated: 10/24/2011


CLAUDIA WILKEN
United States District Judge